

STATE OF TEXAS

COUNTY OF UPTON


ORDER AUTHORIZING CINCO DE MAYO FIREWORKS SALES

WHEREAS, the Commissioners Court of Upton County is authorized under Occupations Code Section 2154.202(h), to issue an order allowing retail fireworks permit holders to sell fireworks to the public in celebration of Cinco De Mayo; and WHEREAS, on the 20th day of April, 2020, the Commissioners Court of Upton County has determined that conditions are favorable to issue such an Order; NOW, THEREFORE, the Commissioners Court of Upton County adopts this Order authorizing the sale of fireworks to the public by retail fireworks permit holders during the Cinco De Mayo period beginning **May 1, 2020 - Midnight, May 5, 2020**. This order expires on the date the Texas Fire Service determines drought conditions exist in the county or midnight, May 5, 2020, whichever is earlier.

- A. No person may sell, detonate, ignite, or in any way use fireworks classified under 49 C.F. R. part 173.100 (r)(2) (10-1-86 edition), as "skyrockets with sticks" and "missiles with fins" in any portion of the unincorporated areas of Upton, County.
- B. This Order does not prohibit:
1. Common fireworks, small in size classified as Class C explosives;
 2. Large fireworks devices designed primarily to produce visible or audible effects by combustion, deflagration, or detonation and classified as Class B explosive by the U.S. Dept. of Trans. [Tex. Occ. Code, Chapter 2154].

Designated areas include Nealy Park (not in ball field) in McCamey, and Red Devil Stadium parking lot in Rankin from 5:00 p.m. until midnight to shoot fireworks

Approved this the 20th day of April, 2020, by the Upton County Commissioners Court.


Dusty W. Kilgore, County Judge

